VIRGINIA GAZETTE, AND GEN^L. ADVERTISER.

RICHMOND—PRINTED (EVERY WEDNESDAY AND SATURDAY) BY AUGUSTINE DAVIS—AT FIVE DOLLARS PER ANNUM, PAID IN ADVANCE.

NUMBER 1319.] SATURDAY, JUNE 1, 1805. [VOLUME XIX.

THE SUBSCRIBER,

DESIROUS *to close his business in this place, as soon as possible, is induced to offer for sale, the following* VALUABLE PROPERTY, *viz.*—

A convenient two story Dwelling House, 24 feet square, having one room and a passage on the lower floor, two rooms on the second floor, and two good rooms in the garret; a cellar with plank floor, and divided into three apartments, one used for cooking; the yard inclosed with a brick wall seven feet high—the whole in good repair.—This tenement is situated near the Bell Tavern, on the cross street leading to the Rock Landing, and is insured in the Mutual Insurance Company against Fire in the state of Virginia, and the premiums paid.

Eleven unimproved half acre Lots, on Shockœ Hill.

600 acres Military Land in Kenhawa county, on the waters of Old Town creek, a branch of Ohio river, being part of a grant made to George Muse, Adam Stevens, Andrew Lewis, and others, in the year 1772.

25 tracts of Land in Montgomery county, containing 32,172¼ acres, the whole patented in my name, viz.

4,000 acres surveyed 3d April, 1786, in Montgomery county, on Cole river.

3080 acres surveyed 24th July, 1786, in same county, on Sixteen Mile creek, adjoining the late gen. Washington's survey on Kenhawa river.

3052¼ acres surveyed 23d July, 1786, in same county, on the Loop waters, waters of New river.

1000 acres surveyed 13th May, 1786, in same county, on the Ohio river.

3210 acres surveyed 5th April, 1786, in same county, south of a creek running into Cole river.

2138 acres surveyed 21st February, 1787, in same county, on Cole river.

320 acres, surveyed 3d February, 1787, in same county, on the waters of Cooper's Creek and Little Blue Stone.

1300 acres, surveyed 16th February, 1787, in same county, on the head waters of the South Fork of Cole river, that heads against Guyandott.

95 acres, surveyed 10th February, 1787, in same county, on the head waters of Glade creek.

78 acres, surveyed 8th February, 1787, in same county, on a branch emptying into Glade creek, on the south side of the same, and about one mile above the ford of said creek.

500 acres, surveyed 10th February, 1787, in same county, on the North fork of Mud river, that heads against the Guyandott.

1500 acres, surveyed 12th May, 1786, in same county, on the Ohio river.

2000 acres, surveyed 8th May, 1786, in same county, on the Great Kenhawa.

1000 acres, surveyed 16th May, 1786, in same county, and on same river.

263 acres, surveyed 8th February, 1787, in same county, on the head of Glade creek.

214 acres, surveyed 7th Feb. 1787, in same county, on the waters of Glade creek, on the south side thereof.

135 acres, surveyed 6th February, 1787, in same county, on the west end of Joe's Ridge, and on the waters of Glade creek.

154 acres, surveyed 6th February, 1787, in same county, on Joe's Ridge.

228 acres, surveyed 6th February, 1787, in same county, on Joe's Ridge, and the waters of Glade and Cooper's creek.

414 acres, surveyed 22d February, 1787, in same county, on the second fork of Cole river, on the road crossing from Pinny river to Guyandott.

2000 acres, surveyed 26th February, 1787, in same county, under the big pipe Stem Knob, and running down both sides of the creek.

416 acres surveyed 4th February, 1787, in same county, on the waters of Cooper's creek and Joe's Ridge.

380 acres surveyed 3d February, 1787, in same county, on the head waters of Cooper's creeek.

3,338 acres by survey 20th February, 1787, in same county, on the south fork of Cole river.

1,345 acres by survey 2d February 1787, in same county, on the head waters of little Blue Stone, about half a mile north from the white oak lick.

Three tracts of land in Monongalia county, patented in my name, viz:

350 acres by survey 1st June, 1796, in Monongalia county, adjoining Matthew Richey's land, and the Randolph county line, on the waters of Cheat river.

400 acres surveyed 20th October, 1797, in same county, adjoining lands of Abner Harper, above the mouth of White-day creek.

400 acres surveyed 15th November, 1797, in same county, adjoining Peter Drago, on Finches run, to include an improvement made in the year 1773.

1000 acres in same county, on the west of cheat-river, above the lands of Thomas Butler.

800 acres in same county, on Buffalo creek, on a pre-emption right of David Gray.

250 acres in Greenbrier county, on Little deer creek, adjoining lands of Joseph McClung.

891 acres in Montgomery county, surveyed 1st August 1787, on the waters of Pinney river and Paint creek, waters of Kenhawa river.

435 acres in Montgomery county, surveyed 30th June, 1786, joining the lands of Joseph Eaton, Richard Muse, and James McCorcle.

230 acres in Wythe county, surveyed 4th November, 1795, on the lead mine mill creek.

180 acres in Albemarle county, patent, dated 5th July 1787, on William Hill's creek, waters of Buck Island creek.

One undivided moiety of five lots, in the Town of Winchester, No's. 89, 90, 100, 101 and 109.

The above will be sold very low, and the terms made known on application to

Wm. AUSTIN.

Richmond, April 4th, 1805.

AGENTS for the VIRGINIA GAZETTE.

Mr. Eleazier A. Jenks,	Portland, (Maine.)
Mr. T. C. Cushing,	Salem, (Mas.)
Benjamin Russell, Esq.	Boston.
Office of the Courant,	Hartford, (Con.)
William Coleman, Esq.	New-York.
Mr. Samuel Relf,	Philadelphia.
Mr J. Escavaille, Bryden's Coffee-House,	Baltimore.
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Messrs. Cooper & Gray,	Norfolk.
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Mr. John S. Pasteur,	Newbern, N. C.
Editor of the Char[illegible] Courier,	Charleston, S. C.
Stephen Bullock,	Port Gibson, M. Ter.

[illegible]E.

A PERSON well qu[illegible] to teach an English School, and the rudi[illegible] of Latin, may find an eligiqle situation in the Ac[illegible]my of *Alexandria*: Satisfactory recommendations [illegible] be produced, and application made in person or by letter, to

A. GOLBROOK, *Teacher.*

April 27th, 1805. 4t

NOTICE.

THAT by virtue of a Deed in Trust, I shall, (as the assignee of John Barret, Esq. of Louisa county) on the first Monday in June next, being Henrico court day, expose to sale by Public Auction for ready money, before the door of the said Court-house, A TRACT OF LAND containing one hundred acres more or less, lying and being in the county of Henrico, on the Three Chopp'd Road, being the same land, on which the late Thomas Ginnett, dec'd, resided in his life-time. This sale will be made to satisfy a debt with the interest due thereon, by Thomas Ginnett, dec'd to John Barret, as surviving partner of Reid and Barret, together with the costs of executing this trust.

SAMUEL M'CRAW,
Assignee of the cestui que trust.

May 7. epds.

ON MONDAY NEXT
Will be Published, and Sold at the Printing-Office of AUGUSTINE DAVIS,
A CHOICE COLLECTION OF
HYMNS & SPIRITUAL SONGS

Selected, corrected and revised by J. COURTNEY, Sen.

In this selection, the reader will find, that partiality has been avoided, and that, this Collection, which comprises upwards of 300 pages, is calculated to suit all denominations of Christians.

Wednesday, 29th May, 1805.

Ten Dollars Reward.

LOST, on Saturday last (in Henrico Court-House, or in the streets between that and the residence of the subscriber,) A BUNDLE OF PAPERS, marked "*Henrico May term*, 1805." Within this bundle were manifests for twenty hogsheads tobacco, sundry accounts, notes and other documents, relative to suits depending in that court, and were subdivided into six bundles, and marked 1st, 2d, 3d, 4th, 5th and 6th day.

Those papers cannot be of any possible utility to any one except the subscriber and his clients—the tobacco mentioned in the manifests having been some time since delivered by the inspectors at Shockœ warehouse, and shipped.

Upon a delivery of those papers I will give the above reward, and ask no questions in relation to them. But if stolen, I will give ONE HUNDRED DOLLARS for such information as may lead to a conviction of the culprit.

SAMUEL M'CRAW.

Richmond, May 17. tf

Richmond, May 27th, 1805.

TO BE RENTED,

THE house on the main-street, lately occupied by Mr. Samuel Myers, adjoining the store of Messrs. Robert & Allan Pollok & Co. and opposite to the Union Tavern. Upon the first floor, are a Store Room and a Counting Room. The apartments in the second and third stories are calculated for the accommodation of a family.—For terms enquire of

JOHN BROWN.

IMPEACHMENT OF JUDGE CHASE.

Thursday, February 21.

The court was opened at 10 A. M.

Present—the Managers, attended by the House of Representatives in committee of the whole, and

The counsel of judge Chase.

Mr. CAMPBELL, in continuation.

I will now proceed, as well as my indisposition will permit, to examine in a brief manner, the second part of the subject containing the several charges founded on the trial of Callender, at Richmond, as stated in the second, third, and fourth articles of the impeachment. I will consider these several articles in the order in which the transactions on which they are founded took place in court. In order to ascertain the motives that actuated the judge in this whole transaction, it will only be necessary to view his conduct as proved, so far as the same relates to this subject, previous to the trial. The first account we have of the intended prosecution, or I might say persecution, of Callender, is at Annapolis. Here the judge received the famous book, called the Prospect Before Us, upon which the prosecution was founded; and here the determination was formed to convict and punish Callender. The respondent said he would take the book with him to Richmond; that the libellous parts had been marked by Mr. Martin, and that before he returned he would teach the lawyers of Virginia to know the difference between the liberty and licentiousness of the press; and, that if the commonwealth of Virginia was not totally depraved, if there was a jury of honest men to be found in the state, he would punish Callender before he returned from Richmond. This is the evidence of Mr. Mason, nearly in his own words, and no person will pretend to doubt its correctness. What language could be used, that would more clearly shew the partiality and predetermination to punish Callender, and the spirit of persecution by which he was actuated? Again, on his way to Richmond, according to the evidence of Mr Triplett, the judge reviles the object of his intended vengeance; states his surprize and regret that he had not been hanged in Virginia; remarks that the United States had shewn too much lenity to such renegadoes; and after arriving at Richmond, informs the deponent, he was afraid they would not be able to get the damn'd rascal that court. Thus evincing in every stage of this business that intolerant spirit of oppression and vengeance, that seems to have given spring to all his actions. After the indictment is found against Callender, the pannel of the petit jury is presented to the judge, he enquires if he had any of the creatures called democrats, on that pannel; directs the marshal to examine it, and if there were any such on it, to strike them off. This is the evidence of Mr Heath, whose character and standing in society are known to many of the members of this honorable court. And though his evidence is opposed by the negative declarations of Mr Randolph, who affirms that he did not present the pannel of the jury to the judge, or receive such directions; yet I conceive the court will give more weight to the affirmative declarations of Mr Heath, with regard to these facts, than to the negative assertions of Mr. Randolph, who may have forgotten the transaction. This point rests on the integrity and veracity of Mr Heath. He could not receive the impression of these facts, unless the transaction had taken place; he could not reasonably be mistaken; the affair was new and extraordinary, and must have arrested his attention; and in this case there is no ground to make allowance for a treacherous memory; for it is not pretended that the witness, Mr Heath, has forgot the facts, but that they never existed. If you do not, therefore, believe the statement he makes, it must follow that you admit the witness has wilfully and corruptly stated a falsehood; this I presume will not be admitted; but on the other hand, Mr Randolph may have forgotten the transaction, in the bustle of business, and this will account for the difference in the evidence of the witnesses without impeaching the veracity of either; this mode of reconciling the evidence is agreeable to the rules of law. I take the facts, therefore, as stated by Mr Heath to be correct, and they afford an instance of judicial depravity hitherto unequalled and unknown in our country; a direct attempt to pack a jury of the same political sentiments with the judge, to try the defendant. This is a feint representation of the previous conduct of the judge, relative to this subject, before whom the defendant was about to be tried; or rather before whom he was to be called for certain conviction and punishment; for it ought not to be dignified with the name of a trial. With this view, therefore, of the temper and disposition of the judge, and of his previous conduct on this occasion, we will examine the first important step taken in the trial, in which the designs of the judge begin more clearly to unfold themselves, viz. his refusal to postpone or continue the trial until the next term, or an affidavit regularly filed, stating the absence of material witnesses and the places of their residence, being the second charge in the fourth article.

It is admitted by the respondent in his answer, that an affidavit was filed, which he exhibits to the court, and a motion made thereupon by the counsel of Callender to continue his cause for trial until the next term; and it is proved by the evidence of Mr Hay and Mr Nicholas, that as counsel for Callender, they insisted for a continuance of the case, on the grounds stated in the affidavit, and also on other grounds; that they were not prepared to argue the law arising in the case, for want of time to examine the subject, and that the defendant was not, by the laws of Virginia, bound to come to trial that term. Here it may be proper to shew what are the grounds for a continuance known in law, and to enquire whether those stated in the affidavit come within the decisions heretofore made in courts of justice. On this subject I will refer the court to one authority only, but one equally respectable with any that can be produced on criminal law.—Foster Cr. Law, page 2 and 3. Here Mr Campbell read the case at length, and then observed, that this decision took place in a country where criminal law is executed with as much rigour as in any in the world where there is the shadow of liberty; and yet the affidavit filed in this case, upon which a continuance was granted, only states the absence of material witnesses and the places of their abode; the defendants were not required to state the facts that those witnesses would prove. In ordinary cases the courts do not require this, and in many cases it would be impossible for the defendant to know all that a witness could give in evidence; nor is the defendant bound, except in extraordinary cases, to disclose the evidence that his witnesses, who are absent, can give, as it might endanger his defence and give an advantage to the prosecutor, if so disposed, to procure evidence, whether true or false, to controvert that of the defendant. The court in the case cited was held by a special commission from the crown, for the purpose of trying offenders for crimes of the deepest die, and such as are punished in that country with the utmost rigor; yet the court continued the cases of those defendants for such a length of time as was deemed sufficient to procure their witnesses according to the distances at which they resided. There were in this case no stated terms to which the court could adjourn and continue the causes; they, therefore, fixed upon a reasonable time and adjourned over to such day, in order to enable the defendants to prepare for trial; and it was observed by the court in that case as an additional ground for continuance, that the indictments had not been found until the court sat, and that therefore the defendants had not time to prepare for trial. This was the case with Callender; he had no notice of this prosecution until after the indictment was found, and during the same term; he therefore could not have had time to prepare for his trial. The affidavit he filed was stronger and much more full than that in the case cited: it states the absence of a number of witnesses, whose evidence the deponent declares material to his defence. This would be sufficient to authorise a continuance upon a first application, and more ought not to have been required; but the affidavit goes further, and states the substance, as far as the defendant knew, of the evidence the witnesses could give; and also states the want of papers and books material to the defence, that could not be obtained without allowing a considerable time to procure them. What more could be stated in an affidavit, for a continuance on the ground of want of testimony, by any defendant who wished to adhere to the truth? Yet a continuance is refused; and the judge states in his answer as the principal cause of such refusal, that the evidence of all the witnesses stated in the affidavit to be wanting, would not prove the truth of all the charges in the indictment, and would not therefore make a complete justification procured; and enters into an examination of the charges and evidence to prove this position. This excuse of the accused is founded on a train of the most fallacious and sophistical reasoning that can be resorted to, and is no more than a groundless apology, by which, if possible, to evade the true question, and avoid the odium that ought and must attach to such a transaction. It is not denied by the judge that the absent witnesses would prove in part the charges in the indictment; but he says it ought to appear they could prove the whole. By this rule, in order to obtain a continuance, the party must shew to the court the whole of the evidence necessary to support his case, and the judge is to compare the evidence with the charges, and must be satisfied that it is sufficient to cover the whole of the case, or he will not grant a continuance; this doctrine is too absurd to require a refutation; it would destroy all the benefit that could arise to parties from the right, so well established in law, of continuing causes upon affidavit of absent material witnesses; and subject the right to a fair and impartial trial, to the mere arbitrary will of a judge, who would thus assume the right to weigh the evidence wanted, and measure its materiality by his prejudice against the party; this would in fact, tend in many instances to destroy the trial by jury, and reduce it to a mere form without substance; for the party could not state on oath all that his witnesses could prove, once in a hundred times. But the answer states that the court proposed to postpone the trial for a month, and some of the witnesses go further than the accused himself and say for six weeks; and this is relied upon as shewing the disposition of the judge to accommodate the defendant. This is a pretence to accommodate that could answer the defendant no valuable purpose. The absent witnesses resided at such great distances, that most of them could not be procured in that time, and this the judge well knew. He even states in his answer, that they lived at such great distances as left no reasonable ground to believe they could be procured at the succeeding term, being six months, and yet pretends that one month or six weeks would be sufficient. But here I must notice, that it is remarkable the counsel for the defendant never heard of this proposed postponement; and I must therefore conclude it was not seriously made; but if it was, it only proves that the judge was determined to try Callender himself, and would not therefore on any ground whatever, continue the cause to a succeeding term, at which he was not to be present. He had before determined to punish Callender, and could not trust his case to the management of any other judge. This is of a piece with the rest of his conduct on this occasion, and presents this honorable court and the world with an instance of the most flagrant abuse of common justice, under the sacred sanction of administering the law for the correction of offenders.

The next charge which I propose to examine is contained in the second article of the impeachment, and consists in the judge's overruling the objection of John Basset, one of the jury, who wished to be excused from serving on the trial of Callender, because he had made up his mind as to the book from which the words charged to be libellous in the indictment had been drawn. The constitution secures to defendants charged with crimes, the right of a trial by an impartial jury; any thing, therefore, that goes to shew that a man has made up an opinion with regard to the guilt or innocence of the accused, or with regard to the matter in question, or decided it in his own mind, proves him to be disqualified to serve as as a juror, because it proves he is not impartial, has a bias upon his mind, and cannot be said to be indifferent. The same doctrine is supported by the laws of England. In order to shew this, I will refer the court to 3 Bac. Ab. (new ed.) 1756, and also Co. Litt. 156; where it is stated, if a juror has declared his opinion, touching the matter in question, &c. or has done any thing by which it appears that he cannot be indifferent or impartial, &c. these are principal causes of challenge; and therefore such a juror would be disqualified. Here it is manifest, that tho' declaring an opinion is good cause of challenge to a juror, if it is not necessary, he should declare, such opinion in order to disqualify him; it is sufficient that he has done something whether making up an opinion, or doing any act whatever, by which it appears he is not indifferent, is not perfectly impartial. The objection, therefore, made to Basset as a juror, ought to have been sustained, and he ought to have been excused from serving on the jury, upon two grounds. First, because he had made up his opinion with regard to the matter of the charge against Callender. This is proved by the evidence of Basset himself, who says, he had seen a newspaper, extracts stated in the publication to have been taken from the Prospect Before Us; and he stated to the court on the trial, that he had made up his opinion, that those extracts were seditious, and that the author of the book called the Prospect Before Us, or that from which these extracts were taken, was within the sedition act, and therefore punishable under it. It was at the same time notorious and well known that Callender was the author of the Prospect Before Us; it was equally notorious and known, that the indictment against him was founded on that book; and Mr. Basset stated, he had no reason to doubt that the extracts were taken from that book stated in the papers.—Is it not, therefore, clear, that forming an opinion with regard to the extracts, was forming an opinion with regard to the matter charged as libellous in the indictment? No reasonable doubt can exist on this point, and though Mr. Basset did not hear the indictment read, as the court refused to permit it to be read until the jury were sworn, a measure under such circumstances as extraordinary as it was new; yet he knew the subject matter it contained as well as if he had heard it. The opinion, therefore, that he had to make up his mind on this subject, clearly proves he was not indifferent, was not impartial; he had decided the guilt of Callender, in fact, in his own mind, and could not be expected to shake off

the effect of such prejudication. He was, therefore, according to the constitution, and the law already cited, disqualified from being a juror, having done an act that shewed he was not indifferent, was not impartial, and ought of course to have been excused from serving on the jury. He ought also to have been rejected as a juror on a second ground; because he had not only made up an opinion on the matter in question, but had declared that opinion in public. It is proved by the evidence of Mr. Basset himself, as well as by that of Mr. Hay and Mr. Nicholas, and also by that of Mr. Robinson, that when he was asked whether he had formed and delivered an opinion upon the charge in the indictment, he stated, that although he had never heard the indictment read, yet he had formed an opinion that the author of the Prospect Before Us was within the sedition act. This, as has been already insisted upon, was the same as forming an opinion upon the charges in the indictment, as he knew the indictment was founded upon that book; and this opinion, which he had formed, he then declared in open court, in the hearing of all bye standers, and before he was sworn as a juror. This was, therefore, according to the rule laid down by the judge and the question he declared proper to be asked, a complete disqualification of Mr. Basset from serving as a juror on that trial. For he had formed and delivered an opinion on the matter in question.—And what difference could it make, whether such opinion was delivered a minute or an hour before the juror was sworn on the trial, or a week or a month before? Certainly the effect on his mind must be the same, and he must be equally unfit to serve as a juror in either case. On both of these grounds, therefore, Mr. Basset ought certainly to have been rejected from serving as a juror on the trial of Callender; and this is so glaring an innovation on the impartiality of trial by jury, (*the security* of our rights and great *bulwark* of our liberties,) that when taken in connection with the rest of the judge's conduct, it strongly evinces an overbearing disposition, that would not stop at the use of any means, however unjust and illegal, to obtain a desired object.—He has told the marshal, if he had on his list of jurors any creatures democrats, to strike them off. He, therefore, knew the political sentiments of those who were called as jurors, to be favorable to his wishes, as no doubt his direction was pursued. Mr. Basset had declared his opinion, that the author of the Prospect Before Us was within the sedition law, who was notoriously known to be Callender. He therefore knew the sentiments of the juror; knew he must be disposed to convict the defendant, and this reason he would not excuse him from serving on the trial, but would pervert the meaning of the law to make it subservient to his own views.

(*To be continued.*)

FROM THE VERMONT JOURNAL.

MR. ELLIOT.

TO HIS CONSTITUENTS.

LETTER VI.

Of the Georgia Missisippi Territory, the state of Georgia, by an act of their legislature, passed Jan. 7, 1795, sold about twenty-two millions, (some say forty millions) of acres to four different companies, and the purchase money, amounting to half a million of dollars, a very trifling compensation indeed for so large a territory, was paid into the treasury of Georgia. The original grantees soon after sold this land in shares of various descriptions principally to gentlemen in the eastern and middle states. On the 7th of February, 1796, the succeeding legislature of Georgia passed an act, declared the former 'usurped act' null and void; and all the grants, rights, and claims arising therefrom, of no validity or effect; and that the said territory was the sole property of the state.—The legislature also ordered that, in their presence, and that of the public officers of the state, the several records, documents and deeds, in the several public offices, should be 'expunged from the faces and indexes of the books of record of the state; and the enrolled law, or usurped act, publicly burnt.' To give greater solemnity to a scene so extraordinary, it has been said that the law and records, like the messengers of Ahaziah, were consumed with fire from heaven; by flames elciated from the sun in his meridian. Whether this account be correct or not, most ceartainly the sun never shone on a more singular transaction. Admitting that the members of the legislature of 1795 were interested in their own grant, as contended by their successors, and the terms of the grant furnish, aside from other evidence, a strong presumption against their integrity, yet it cannot be doubted that the legislature of 1797, would have had the same rights to annul the rescinding act of 1796, as the legislature of 1796 possessed to destroy the granting act of 1795, and so on *ad infinitum*. Until now it had never been doubted that the supreme legislative power of every community possessed of the power of granting its vacant lands; and such grants had been considered as pledging the faith of the community. If they can be rescinded by succeeding legislatures, or the people themselves, public faith is but a name, or at most a snare for the unwary. Besides it is repugnant to the principles of natural equity, that a legislative body should sit in judgment upon the acts of their predecessors, and 'damn them to everlasting fame,' unheard and unconvicted. Whether or not the grant of 1795 was void on the ground of corruption, was a judicial and not a legislative question.

The United States have always held a claim, or pretended claim to this territory. I have been told that it was the opinion of one of our ablest politicians that we had a good title; but this may well be doubted. Many proceedings of the general government, however, from time to time, gave strong color of title to Georgia, if they did not expressly recognize her claim. And as a principle to govern in this case it is stated, that in courts of equity it has been established 'that the true owner of land shall be bound by a sale of a stranger who has no title, if the owner suffer the sale to go on by an innocent purchaser, without giving notice of his title when he has it in his power; and that the case is much stronger against the owner when he has given a color of the title to the seller, and thus helped to deceive the purchaser.' The claim of the United States, however, is not immediately connected with the question between the legislative grantors and the private grantees of Georgia. Other claims of an earlier date, in favor of other companies, in relation to lands in that territory, existed upon the state of Georgia; she finding herself embarrassed by these various claims, and the very singular situation of the business, ceded to the whole territory of the United States for a very small consideration, accompanied with a mutual stipulation that the United States should appropriate 5,000,000 of acres to satisfy the claimants, at the discretion of the United States. It is a plain principle of law that no subsequent purchaser shall avoid a precedent purchase on the ground of fraud. but a purchaser for valuable consideration. If the United States are purchasers for a valuable consideration they are purchasers from Georgia, and they now claim under the title of Georgia. Few if any believe that the claimants of an ealier date than '95 have any just claim upon the state of Georgia; the public faith of the union must therefore be considered as at least tacitly pledged to appropriate the greatest part of the five millions of acres for the claimants under the act of 1795. A bill passed the stages, authorising commissioners to settle with the claimants genially, limited in their operations to the appropriation to the five millions of acres. Mr. Randolph oppoled this bill with all the powers of his eloquence, and when he found that it was likely to pass, he arrested its progress by the introduction of a set of resolutions, calculated to establish, an inquisitorial and censorial power in the Congress over the state governments, declaring the legislature of 1795 to have been corrupt, justifying the proceedings of the legislature of 1796, authorising the state legislatures or even the people themselves to rescind contracts in which the public faith is pledged, and declaring that the United States were under no obligation to appropriate any part of the five millions of acres to the satisfaction of the claimants under the act of 1795, and that no part should be so appropriated. That I may not be accused of misrepresenting the language or the object of these resolutions, I will transcribe them from the speech of the mover, and reserve my comments upon them for my next letter.

1. *Resolved*, That the state of Georgia were at no time invested with the power of alienating the right of soil possessed by the good people of that state in the vacant territory of the same, but in a rightful manner, and for the general good.

2. That when the governors of any people shall have betrayed the confidence reposed in them, and shall have exercised the authority with which they have been invested for the general welfare to promote their own private ends, under the basest motives, and to the public detriment, it is the unalienable right of a people, thus circumstanced, to revoke the authority thus abused, to resume the rights thus attempted to be bartered, and to abrogate the act thus endeavoring to betray them.

3. That it is in evidence to this House that the act of the legislature of Georgia passed the 7th January, 1795. entitled, &c. was passed by persons under the influence of gross and palpable corruption, practised by the grantees of the lands attempted to be alienated by the aforesaid act, tending to enrich and aggrandize, to a degree almost incalculable, a few individuals, and ruinous to the public interest.

4. That the good people of Georgia, impressed with general indignation at this act of atrocious perfidy and unparalelled corruption, with a promptitude of decision highly honorable to them, did, by the act of a subsequent legislature, passed on the 13th day of February, 1796, under circumstances of peculiar solemnity, and finally sanctioned by the people, who never have subsequently engrafted it on their constitution, declare the preceding act and the grants made under it in themselves null and void;—that the aforsaid act should be expunged from the records of the state and publicly burnt; which was accordingly done; provision at the same time being made, for restoring the pretended purchase money to the grantees, by whom, or by persons claiming under them, the greater part of the said purchase money has been withdrawn from the treasury of Georgia.

5. That a subsequent legislature of an individual state has an undoubted right to repeal any act of a preceding legislature, provided such an appeal be not forbidden by the constitution of such state or of the United States.

6. That the aforesaid act of the state of Georgia (the rescinding act) was forbidden neither by the constitutution of that state, nor by that of the United States.

7. That the claims of persons derived from under the aforesaid act (the corrupt act) of the 7th January 1795, are recognized, neither by any compact between the United States and the State of Georgia, nor by any act of the federal government.

8. *Therefore Resolved*, That no part of the five millions of acres reserved for satisfying and quieting claims to the lands ceded by the state of Georgia to the United States, and appropriated by the act of Congress passed at their last session, ought to be appropriated to quiet or compensate any claims, derived under any act, or pretended act, of the state of Georgia, passed, or alledged to have been passed, during the year 1795.

JAMES ELLIOT.

FROM THE NEW-HAMPSHIRE SENTINEL.

DEMOCRACY STARK NAKED.

☞ In the *Vermont Gazette*, we observe a letter to the editors of that paper from Mr. Elliot, occasioned by some remarks of a correspondent, who Mr. E. says, misquoted a passage from him, and drew false conclusions. After correcting him, Mr. E. makes the following declaration:

"THE DESTRUCTION of the CONSTITUTION of the United States has been determined on in a private caucus of the junto I have alluded to.—A member of Congress, who, to say the least, is friendly to this party, made the following declarations, in January last, at Washington—That he felt *no attachment to the Constitution but what his* OATH OF OFFICE *required*—that he considered *three fourths* of its *framers* as *fools and knaves*—that it was made for the benefit of *speculation* and *Merchants*, and not for the public good—that the Senate is a hospital of incurables, and *two thirds* at least of its political existence must be *destroyed*—that the judges ought to be dependent upon Congress—that he wished a committee could be appointed to sit during the whole recess of Congress, to digest alterations of the Constitution, &c. These declarations were made in presence of myself, and Mr. Ellery, a senator from R. Island, & Mr Jackson, a republican representative from Virginia; and appeared to strike those gentlemen with great astonishment. It is to guard the people, not against themselves, but against the "junto" of revolutionists, and at the same time to vindicate my own conduct, that I have written my letters to my constituents. The facts which I have stated are true, and my constituents believe them."

JAMES ELLIOT.

RUN AWAY

FROM the subscriber on the 16th of April, a Negro Man by the name of MOSES: he is 5 feet 6 or 7 inches high, between 35 and 40 years old, has a bushy head of hair, straddles a good deal in his walk, from wearing a truss; is much addicted to strong liquor, and when drunk, and at all times, a sulky and insolent fellow. He has twice before made an attempt to get off, and was once taken at City Point, trying to get on board a vessel. He is well acquainted in many parts of the state, having travelled formerly with me and driven my carriage 'till within a few years. I will give TEN DOLLARS if he is taken within the county of Mecklenburg and brought home, or TWENTY DOLLARS to have him secured in any jail, so that I get him again. J. NELSON.

Mecklenburg, 29th May, 1805.

The Virginia Gazette.

RICHMOND:

SATURDAY, JUNE 1, 1805.

A new Champion of Religion—The noted CHARLES PRENTISS, who run-away from the *support* of his family in *Leominster*, in this county, to *support* the federal cause in the southern states, has lately resumed his editorial labors, in the city of *Richmond*. This unprincipled *renegado* has undertaken the management of DAVIS's "*Gazette*," a paper which was for some time, conducted by JOHN WOOD, the defender of Col. BURR. In the "*Virginia Gazette*" of the 7th inst. PRENTISS has published three long columns, to prove that "*the gradual destruction of the Christian religion is one of the greatest wishes of the leading democrats in America.*"

To maintain this very tenable position, he has resorted to the old *slang* about TOM PAINE, PALMER, O'DRISCOL, and the TEMPLE OF REASON—and to render his *reasoning* conclusive, has interlarded the names of CONDORCET, DANTON, D'ALEMBERT and MIRABEAU.—He has adduced the publication of several irreligious works in this country as collateral evidence. In this part of his attempt, he has been peculiarly unfortunate. He instances the book called "*Common Sense, or natural Ideas opposed to supernatural*," which he says was published in Boston. True; it was published in Boston, but not by a *democrat*. It was there published and sold by the pious "Post-Master of '75"—ISAIAH THOMAS. The "*Age of Reason*" too, is mentioned. "Who (asks PRENTISS) patronized and promoted the circulation?" We know not. But we know who printed an edition.—This very individual patriot, publication, and printer of bibles, ISAIAH THOMAS, [illegible] now who declared this "*Age of Reason*" to [illegible] book he had ever read." And the same day [illegible] editor, who made the declaration, flew [illegible] against TOM PAINE's attempts to destroy religion, [illegible] his paper with pious invectives against the president.

But, what are the religious pretensions of this new advocate of Christianity? An open foe may be guarded against; an unworthy friend disgraces the cause, which he advocates, and does more essential injury than a thousand avowed opponents. What is the character of CHARLES PRENTISS, as respects either religion or morality? His claims to the praise of a moral man are not immediately interesting. It is believed, however, that he will never challenge an investigation. His religious character shall be tested by his writings. Nothing could have induced us to pollute our columns with the ensuing abominable and blasphemous ribaldry, but the necessity of exposing the base hypocrisy of this wretched "Defender of the Faith."—It is extracted from a "*Collection of Fugitive Essays*" written and published by CHARLES PRENTISS.

" Death and damnation, hell, flames and brimstone,
" Fire, wrath eternal, light'ning and thunder,
" There round one's ears fly and soon will make you,
" All black as Indians.
" Born with the *itch* of Adam's first sin, and
" Ne'er to be cured 'till *Christ's mighty ointment*,
" When you are *dipt* in *regeneration*,
" Cleanses the scabs off!!"

This is the pious friend of *federal Christianity!*—This is the religious man, who anathematizes *republican infidelity!* This is the Christian, who so pathetically asks, "Will mankind become more enlightened, more virtuous, more happy, or greater philosophers, by the overthrow of a religion, the doctrines, the precepts, the purifying delights of which, make duty the object of affection; light up a smile, an ineffable smile, on the visage of affliction; blunt the thorns of nature; add new colors to the rainbow of life's enjoyment, new perfumes to its violets; silken the pinions of mortal time; give a staff to the aged, and down to the dying bed; take from death its sting, and from the grave its victory?"—This is he, who while he acknowledges that "some *few* federalists may doubt or disbelieve," contends that they all hold religion in the "utmost respect." From such *Christianity*, good Lord deliver us!

(Nat. Ægis of May 15.)

I shall dismiss the above with very little notice. The good opinion of good men and the calumnies of the base, are equally pleasant. A cup of cool water to the mouth parched with thirst, is not more pleasant than the manner in which the editor of the National Ægis has indirectly confessed the correctness of our remarks on the general union of infidelity and democracy. The earth is just as much disturbed by the passage of a buzzard's shadow over its surface, as my feelings are by being called by this fellow "an unprincipled renegado," or "base hypocrite." What is said of my leaving Massachusetts several years since, has been amply and satisfactorily answered, long since. If what is said of Mr. Thomas be true, it is so much to his shame. Out of many allegations, the attempt to disprove but one is among lawyers considered as an acknowledgment of the rest.

In a volume of Fugitive Essays, published by me many years ago, a volume containing some things worth perusal, and many things that were not, there are some lame Saphic verses headed with these words: "The substance of a long sermon, preached in a small house, by a diminutive holder-forth, turned into Saphic." It was written when I was a boy, and I well remember the occasion. It was a faithful transcript of the strange blasphemous language and metaphors used by one of those illiterate and immoral persons, who sometimes try to get a living by pretending to preach; and if unsuccessful, turn forgers of bank bills, or friends of the people, or democratic editors. The two last of these verses the editor of the Ægis has quoted, and published them *as my own language and sentiments*. The same disposition that could induce the editor of the Ægis to do this, would induce him to counterfeit or steal: hence I do not believe there is twopence to chuse between him and Mr. Jonathan Nichols, the correspondent of Mr. Jefferson, who was lately honored with a seat in the pillory. I will therefore dismiss him for the present, only informing him that I shall make particular enquiry who and what he is, that he may have his turn in a certain pillory of satire intended for writers of his stamp.

Let us see what the Enquirer has been about the fortnight past.

In that paper of May 27th, we find the following:

"☞ A deep sense of the obligation which he owes to the republican party, strengthened as it has been by the council of impartial friends, has finally determined the editor of the Enquirer to wave his privilege of commenting upon the late strictures of the Aurora. Such a reply could scarcely have been made without blending general discussions with personal allusions, without exasperating emotions which it is better to suppress, and exulcerating that unfortunate spirit of dissention, which threatens at a distance to sully the brightest triumphs of the republican party. Still the editor of the Enquirer is free to declare, that his original opinions have undergone no material modification; that he still thinks for a republican paper to be extensively useful, it should be vigilant without heedless proscription, and tolerant without being unsteady: and that the Aurora does not appear to *him* to realise this ideal standard."

What ought to be or what most readily will be understood by Mr. Ritchie's declaration of his not replying to Duane, on account of the "deep sense of *obligation*" he owes the republican party? For ourselves we declare, we can discover no other meaning than this—I owe the democrats much for what they have done for me; hence I ought not to do any thing that will injure them as a party: This Duane is as great a scoundrel as any pretender to patriotism: they know it, I know it; and I long to tell him so: I itch to come out boldly; but, if I do so, I shall injure the party; the "council of impartial friends" tells me—it won't do.

Such appears to us to be the meaning of the first sentence. If so, we sincerely pity any editor placed in such a disagreeable predicament; with too much spirit to be entirely nosed about by the democrats; and with too little spirit to speak his mind fully, lest he should offend the party towards whom he entertains a deep sense of obligation.

It is amusing to see Mr. Ritchie's closing observations: "A republican paper, to be extensively useful, should be vigilant, without heedless proscription, and tolerant, without being unsteady: the Aurora does not appear to him to realise this ideal standard."—What a delicate, bashful and extremely pretty way of censuring the Aurora. Mr. Ritchie had before accused the Aurora of *scurrility, vulgarity, malevolence* and *falsehood*; he now lowers his tone, and in this equivocating manner hopes the subject will drop. He is not afraid, only he dares not: he kind o' would, as the clown said, and yet some how he seems to kind o' rather not.

The "council of impartial friends" had a share in determining Mr. Ritchie not to come out in full against the Aurora. Fancy could form a dialogue in this manner:

Friend. For heaven's sake, Ritchie, what are you about? Attacking the Aurora? You'll ruin us.

Ritchie. The Aurora-man has been proscribing several republicans, and will ruin the party if not checked. It is time for the party to acknowledge some other lord and master besides this dictator. If he be not checked, I tell you again he will certainly ruin the party.

Friend. And if he be checked, *I* tell *you*, he will certainly ruin the party. His paper has an immense influence: he has sacrificed conscience and reputation for us; and if we throw him off now, he will turn against us.

Ritchie. Neither conscience nor reputation has he sacrificed; he never possessed either to sacrifice: nor is there any danger of his turning against us. It is time to shake off this sore. The president and all the secretaries have shaken him off; several of the democratic papers have deserted him, or have quarreled with him.

Friend. It won't do: the beast must be handled gently at present. There's quarrelling enough among us already; if you set Duane against us, there will be the devil to pay. Handle him gently at present. Consider you are both engaged in one cause; you are alike in that respect.

Ritchie. Sir, if I did not consider you my friend, I should *call you out*, for likening me to such a fellow as Duane in *any* respect. The fact is, you are afraid to affront Duane, lest he should let the cats out of the bag like Callender, and expose all your conduct.

Friend. I hope you have a "deep sense of the obligation" you owe us, and will do as we desire.

Notwithstanding this mild manner in which the Enquirer has noticed the causes of its forbearing further to expose Duane; the Aurora-man has replied, and has treated our neighbor Ritchie not with all that respect that one worthy editor owes to another. He has accused him of "profound nonsense." It is true that this article is in great plenty among democratic editors generally, but it is certainly a matter of astonishment, that such a charge should ever come from such a character as Duane.—"Misery loves company."

Duane concludes his remarks thus:

"We are now told that the privilege is waved, and because it could scarcely be made "without exasperating "emotions, personal allusions and exulcerating an unfortunate spirit of dissention!" Why this is excellent! And after all comes this very pithy *tail piece*—"Still his "opinions have undergone no *material modification*, "(and if not surely it was not material) and that he "still thinks that for a republican paper to be extensively useful, it should be vigilant without needless proscription, and tolerant without being unsteady; and that the Aurora does not appear to *him* to realise this "ideal standard."—With all due reverence and humility, we undertake to say, that this is either *very profound nonsense*, or a very paltry apology for that *current article*."

The same paper contains a something of three columns, called "The Prospect before Us." Notwithstanding the dislike of the democrats to the last part of Callender's life, they can neither cease to admire nor to mention "The Prospect before Us." For the principles of that work congress has shown its respect by attempting to punish the judge who condemned Callender; and the writer in the Enquirer shows his respect by borrowing the title of Callender's celebrated work.

We have read this long heteregeneous mass of matter called "The Prospect before Us."—We mention this circumstance merely to show how great is our patience.

Mr. Jefferson says—"Let us restore harmony to social intercourse: we are all federalists, we are all republicans"—But this young Callender, this author of the new Prospect before Us, says—"Wherever there is a federalist, there you will find a *foe*.

The Enquirer of May 21st has a communication respecting Mr. Elliot. Mr. Elliot in one of his letters says, that "in forming the constitution immense sacrifices of weight and power were made by the small states and none at all by the large states." The communicator in the Enquirer undertakes to prove the incorrectness of this declaration. When we first read the observation we thought it incorrect: but probably Mr. Elliot meant to speak with relation to the power the small states possessed under the old congress, when the votes were always taken by states. But, whether Mr. Elliot be correct or not, the attempt to prove false only one out of an hundred allegations, is convincing evidence of the truth of Mr. Elliot's general remarks and statements. It is, comparatively speaking, of trivial moment who or what Mr. Elliot is; but it is of the utmost importance to know whether his assertions be correct, his statements accurate. If they be so, they will do much in opening the eyes of those who have blindly trusted to professions of patriotism and republicanism, where both were wanting: if his assertions are not correct, his statements accurate, surely their inaccuracy can be substantiated. No—the democrats, conscious of their correctness, and fearful of the consequence of their promulgation, endeavor to weaken or to destroy their force by asserting, with the most scandalous falsehood, that the independent conscientious part Mr. Elliot has taken, has arisen from private pique and resentment. "Spited with those members of congress whose excellence he cannot reach, he has given himself up to envy and jealousy." Because Mr. Elliot has acted like an *honest* man, and would not give his political soul to the direction and care of Jack Randolph and Joe Nicholson, he must be denounced as ambitious and wishing to take the lead in congress on his first obtaining a seat there, and as envious of others. We see no cause of envy of superior talents of any of the democrats. Compare all the qualities of John Randolph and Mr. Elliot, and no reasonable man will give the preference to J. Randolph. Mr. Randolph was born to affluence, and has always been at school: Mr. Elliot has been a soldier, and in literature he is self taught: Mr. Randolph is imperious, vindictive, ambitious, determined to rule: Mr. Elliot is modest, yet energetic, laudably ambitious and determined to be right. Mr Randolph as a speaker is generally slow and studied in delivery and correct in language, except when in a rage, when idiocy and madness have equal claims upon him: Mr. Elliot is also deliberate, careful, correct in language and in matter, and never gets in a passion nor forsakes his subject: Randolph declaims, or rather blackguards genteely: Elliot reproves sometimes, but reasons always: In short, the one is determined to rule, and the other to be right; and in short, if there be any envy in the case, Randolph has the greater cause to be envious.

We will only observe, that as the writer in the Enquirer has attempted to discredit only one statement of Mr. Elliot, we have a right to conclude, that he considers the principal ones correct.

The next thing in the Enquirer of the same date, is the following communication:

COMMUNICATION.

"It is confidently reported and believed, that the President of the U. S. will serve in his PRESIDETOFFICE, no longer than his present term. The reason, which has been supposed to influence his determination, we cast no disgrace upon the previous lustre of his life.—M. Jefferson is the friend of rotations in office. He is avenemy to monopoly of it, which should keep it for any long time in the hands of a single individual. He knows that the longer any man remains in office, the smaller opportunity can others have of acquiring it; and the smaller this chance, the smaller will be the incitements for them to *deserve* it. He knows too, that a permanent continuance in office not only enables a single individual to accomplish, gradually, a system of measures, and to collect around him a set of instruments favourable to his usurpation, but that it prepares the people themselves for an undue reverence towards particular men or particular families. Next to an usual and *extraordinary* authority exercised by an individual, such as exists in the *head* of an army, there is nothing so capable of inspiring a respect for a permanent and excessive power, as wielding the usual executive authority for any *long period*.—It is at the same time reported, that Mr. Jefferson is willing to give an additional proof of the honorable liberality of his views, by consenting to serve in any of the executive departments under a successor whom he may approve. Should these reports be correct, is it not time for the republicans of the union to agree at once upon some candidate, whom they will place in the presidential chair?"

Perhaps Mr. Jefferson may have authorised this report; but whether seriously or otherwise, we think doubtful.

" I thrice presented him a kingly crown,
" Which he did thrice refuse."

Possibly he loves a little coaxing; the fair one's unwillingness enhances the value of the kiss, at last bestowed: Possibly Mr. Jefferson has already received hints, that should democracy be as prevalent at the next election as now, he would not be held up for the next presidency: and, possibly, Mr. Jefferson may have already determined not to stand another election for the causes alledged in the above report. We do not, however, believe so.—If a love of rotation in office were the motive, he would have resigned after the first presidency: and surely no one will be the more induced to believe that mere love of rotation in office will compel the president to refuse 100,000 dollars, because he hears that the president himself says so.

The next thing claiming notice in the Enquirer, is a well written preface, announcing the publication of a second edition of the debates in the Virginia Convention. The debates of the Virginia Convention, will always be read with a very lively interest, on account of the great eloquence of several of the principal speakers, and on account of the light they throw on the principles of the constitution.

The next thing worthy remark, is in the Enquirer of the 24th, some short notice of the charge of *Judge* MARSHALL, on opening the federal court last week. In which notice, Mr. Ritchie has given us an account of several topics touched by the Judge, and has also taken great pains to inform us what topics *he did not touch*.—" There was nothing in it of the *antient* spirit of a *Chase* or a *Wilson*"

Judge Marshall in his charge, as Mr. Ritchie informs us, defined the meaning of treason and murder. Now supposing a man were to be tried for murder or treason, what chance would he stand for acquittal before a judge who gives a *prejudicated* opinion *on the law*. Ask Mr. John Randolph if judge Marshall is not liable to impeachment for giving such opinions on the *law*, thus prejudging a criminal, and leaving it to the jury to decide only on the facts. Judge Marshall, in defining murder or treason, has been guilty of as high a crime or misdemeanor, as was judge Chase, either in the trial of Fries or Callender. The framers of the constitution also had their share of *criminality* in defining treason to be "levying war against the United States, or adhering to their enemies, giving them aid and comfort." This is prejudging all cases.

POOR DUANE.—The time is at hand when this fellow must sink to his proper level in society.

" When every feather sticks on its own wing,
" This creature will be left a *naked gull*."

What made Duane a friend of the people, an upholder of Jefferson, and so violent, and so enraged in his favor, that he labored and wrote, as if the devil drove him, (as probably he did) to secure the election of Mr. Jefferson? Was it because he expected the people at large would be benefited, or that he *would make* his *fortune?*

Shortly after the present administration came into office, we are informed that the different secretaries gave Duane in advance for stationary, &c. between twenty five and thirty thousand dollars. His profits we presume were at least 10,000 dollars. But he cheated the government so abominably, that the different secretaries have generally since applied to regular honest stationers. On some articles of stationary he is said to have made two or three hundred per cent. They mention his buying knives at Patterson's store for 6 dollars a dozen, and charging the government 24 dollars a dozen—Quills about cent. per cent. advance. After contracting for several thousand reams of paper, of a certain quality, and receiving the price for English paper, he went and purchased American paper in Delaware, and made a spec of one dollar or more for a ream. In short, we believe that he has received from government for printing and stationary between sixty and eighty thousand dollars, the *regular* profits of which have been great, and the *cheating* profits of which much greater: yet we are told that the fellow is scarcely worth sixpence after all, which proves that what is gotten over the devil's back is not always saved.

Well—Last session Mr. Jackson, a member of the house of representatives from this state, brought forward a resolution to give the printing business and the supplying of stationary to the *lowest bidder* who gave the *best security*. The particular friends of Mr. Dunn, such as Mr. Smiley, Mr. J. Randolph, and Doctor Leib, opposed this resolution, not from motives of economy, not from a wish to save the people's money, but a patriotic and highly commendable desire to reward Mr. patriot Dunn for his great services in the cause of genuine republicanism. The opposition was fruitless; about 70 to 20 in favor of Mr. Jackson's resolution. The contracting was left with Beckley, the clerk of the house: and last week the contract was closed with Mr. Andrew Way of Washington to do all the printing, and with Mr. Edgar Patterson of Georgetown to supply all the stationary: So that *poor* Duane is fast becoming featherless. The secretaries refusing to take the stationary of him was taking out his tail feathers; this contract with Way and Patterson, quite lops one wing; the Freeman's Journal and other democratic papers are constantly plucking his pin feathers: nothing remains but the printing for the senate, and this he will lose, when the last feathers of the remaining wing will be off, and the naked buzzard will fall to the ground.

Mr. Otis the secretary of the senate, in compliance with the wishes of that body, has heretofore given the printing for that house to Duane, but there is no fear of their requesting it any more. Add to which, as we have been informed, (whether correctly or not, we neither know nor care,) the executors of the will of Ben F. Bache, are taking special care just now, by due legal proceedings, to secure what was left to his heirs. All these things taken into consideration; Duane being thus

" By those deserted in his utmost need,
" To whom his former villainy gave bread;"

scorned, detested, out of profits, of power and cash, the d—l will have him soon; or, as the old man remarked, we might as well have no devil.

Two or three years ago, when Duane presented his account to Beckley for printing, &c. for the house, Beckley told him his charges were *enormous*, called him an *infamous scoundrel, &c.* indeed they quarreled, and collar'd each other. Beckley would not allow the account, unless Duane would *swear* to it. What difference did Beckley suppose Duane's swearing would make? Would Beckley believe, or would any man who knows Duane, believe him any the sooner for swearing? Supposing Duane had charged 50 cents each for quills, could he not swear that it was a just and true account? We grant that in a federalist, it would be false swearing, but not so in a democrat like Duane. The *saints*, says Hudibras, may swear as they please, and keep or break an oath innocently; not so the sinners. There is the same difference in politics. It is *just* that I should be rewarded for what I have done for the administration, and it is *true* that I will be, ergo 50 cents a piece for a quill, is a *just* and *true* account, in spite of the "Calm Observer."

The Enquirer of yesterday has the following short notice of Dunn:

"☞ The ungenerous spirit of misconstruction or the vindictive malignity which distinguishes a recent paragraph in the Aurora has *not* escaped the editor of the Enquirer."

We shall see whether any further notice will be taken of the Aurora by Mr. Ritchie; if there should not, we shall assign a cause for such silence.

For the VIRGINIA GAZETTE.

No. III.

REMARKS

CONCERNING THE ESTABLISHMENT OF A NEW BANK AT RICHMOND.

IT is generally [illegible] that the accommodations, which are afforded [illegible] of Virginia, at this place, are not more than equal [illegible] to the actual demands, and not more than equal [illegible] fourth of the commercial and other reasonable wants. May it not then be fairly concluded, that more banking capital is necessary, and that the evil requires the interposition of the legislature? Public opinion, it is true, is divided. Some think it will be more proper to increase the capital of the present bank, while others recommend the establishment of a new and independent bank—and not a few who think it will be wise to organize a system for the establishment of others, as future circumstances may require it. The following proposition, necessarily, becomes a subject of consideration, to which every politician is invited to turn his attention.

Whether is it better, to increase the capital of the bank of Virginia, without end or measure, according to progressive circumstances—or to organize an extensive and distinct system, for the establishment of another or other independent banks, whenever, and wherever they may be required?

This important innovation has been completely introduced. Even if there was cause, it would be in vain to look back with regret or disconsolation. There remains but one obvious course, by which the evils incident to the banking system can be counteracted, or by which the community may receive all the benefits which have been foretold. This is in pursuing, with promptitude and spirit, the latter part of the foregoing proposition. By this means, every member of the community, who can shew that he is entitled to the aid of an established bank, will easily find means to obtain it. Every possible mischief, which can be dreaded by the improper use of the banking capital, may be obviated. To this end the way should be opened, for the establishment of as many banks as the capital of the applicants entitle them to demand.

At this time, it is evident, that two additional banks may be established; one at the city of Richmond, and another at Alexandria—and as far as the writer of this can judge from report, the borough of Norfolk is not sufficiently supplied with banking capital.——It is also highly probable, that the towns of Petersburg and Fredericksburg will soon follow the example. Winchester, Staunton, Lexington, Fincastle and Lynchburg, perceiving the advantages which the merchants and manufacturers enjoy, in the sea-ports, will not long hesitate in seeking to enjoy similar advantages. Do gentlemen who advocate the extension of the capital of the bank of Virginia, intend to support it so far as to admit all these towns into the copartnership by the means of branches? Do they believe that the stockholders would consent to it without great inducements? Do they wish to create an influence so great, as the direction of so much capital will not fail to give? Do they recollect that nine members constitute a board of directors; that five can make irrepealable decisions; and that, of course, five bank directors, by the controul of so much money, will have the power of doing a great deal of mischief?

On the other hand, let us suppose that each of the banks which have been contemplated, should stand upon its own foundation, and should have no other influence than that which was necessary to manage its own institution—then there would be no room for fear, no room for much mischief, and sufficient means to counteract every improper scheme, which either might meditate.

There are but few towns in the world, so well situated for foreign commerce, as Norfolk; few places where the merchants are more enterprising; few which deserve more public patronage; and yet strange it is, and not less strange than true, that the capricious and causeless prejudices of the legislature of Virginia have rendered it difficult, upon some occasions, for the inhabitants of that place to obtain acts of common justice, or public necessity. If the legislature of Virginia could be induced, to consider the importance of this town, it would be found that every other town, nay, every village, hamlet and cottage, were interested in its prosperity. And yet at this enterprising, rich and flourishing town, there is not an independent bank!!!—A branch of the United States, whose directors are appointed by other directors, who reside in Philadelphia, and another branch from the bank of Virginia, whose directors are appointed in Richmond, by people who know them not, are the only sources for commercial aid. Is not this a gloomy, nay, a disgraceful picture, for such a place, such a people, and such a state? Why, let us ask, should not the merchants of Norfolk be put upon a footing, such as is enjoyed by the merchants of Baltimore, Philadelphia, New-York and Charleston? Do either of these towns possess commercial advantages, superior to those which are, or might be enjoyed by the inhabitants of Norfolk? Are their merchants more industrious, more enterprising, more trust-worthy? Surely not. Why then may not Norfolk, after having risen into consequence, out of its own ashes, and against many difficulties, in a manner which surpasses all example, be allowed to emerge from her commercial depressions? In a little time, she might either vie with, or surpass some of those towns with which she now forms so poor a contrast. Norfolk will do all this, and more, if the legislature of Virginia will allow her—that is, if the legislature of Virginia will grant commercial privileges and public countenance, equal to what is enjoyed by either of those towns just mentioned, which are least favored by the policy of their own governments. Among these privileges, the first and most important would be, to allow her citizens to establish an independent bank, alike free from the controul of the Philadelphia directors, or the Richmond elections.

Let us next turn our eyes to the flourishing town of Alexandria. The inhabitants of that place have already manifested their wishes by an application to the last assembly. Having failed in that, they then applied to the managers of the bank of Virginia for the establishment of a branch. They were again unsuccessful. At the next assembly, it is likely, they will renew their application; and if they should, will the ear of public justice be shut against them? Will the just claims of the petitioners be rejected, merely because a few popular leaders will be pleased to say that they are enemies to the system of banking? It is to be hoped, that these days of darkness and delusion are passing away, that we are now about to enter into the wide plains of reason, where common sense will soon put to flight the satellites of error and prejudice.

Having said so much to favor the establishment of independent banks, and to extend the benefits of commerce, manufactories, agriculture, &c. it now becomes a duty to take care of the public interests. To this end, the writer is about to submit propositions, which will probably be disliked by many, who have read some of his last sentences, with pleasure.

When a charter for a new bank is granted, the legislature should disclaim all controul, and reserve only a contingent interest or benefit in the profits. Many plans may be suggested—the writer of this will confine himself to two only, the first of which is as follows. Let the directors render regular statements of the gains of the institution to the auditor, treasurer, or to some other public functionary. Six per cent. of the gains, exclusive of costs and charges, should be reserved for the stockholders as the fair use of their capitals. The overplus of the profits ought to be divided between the public and the stockholders upon reasonable principles—by allowing one fourth or one third, as may, upon investigation, be deemed reasonable. The argument now about to be offered, will be predicated upon the latter.

Where a bank is well managed, it is reasonable to expect, that the profits will be from 10 to 12 per cent. per annum. There have been cases wherein much more has been gained. Taking the profit of 12 per cent. as true, one half being allowed to the stockholders for the use of the capital, the other half, or 6 per cent. being extraordinary profit, will remain for division; one hundred thousand dollars gaining at this rate will yield 6000.—Let one third of the extraordinary profit be allowed to the public, and the other two thirds be divided among the stockholders. The public in this way will receive a sum equal to 2 per cent. upon the actual capital, and the stockholders will get 10 per cent. upon their respective capitals.

To the writer of this it seems, that this would be a fair mode of division, much more so than if a per centage should be given upon the aggregate gain, without first providing for the legal interest of the actual capital. But there is one other mode of ascertaining a reasonable principle. Here follows the explanation.

The stock of an independent and permanent bank, established on principles which afford satisfactory security, and reasonable inducements, as soon as it is created, and the system is organized, will command a prem of 30 to 40 per cent.—A capital of 600,000 dollars, at 33 1-3 per cent. would gain 200,000 dollars in the rise of the stock, exclusive of the advantage of the dividends, and accommodations, which the proprietors would otherwise receive and enjoy. These 200,000 dollars would be gained, in a very short time, after the institution was completely organized; so that it would make no difference to those who would be willing to give 33 1-3 per cent. for shares, in a good establishment, whether that profit was enjoyed by the public, or by the first adventurers. It is therefore proposed, that a charter shall be granted, upon conditions which are equivalent. The permanency of the institution, supported by public favor, interest and protection, will increase and strengthen the value of the stock. These things, however, would not be fully relied upon, if the aforesaid profit, or any other which might be assumed by the legislature, should be received at once, and appropriated to uses independent of the bank. The mode recommended is to commute the profit, which it is reasonable to ask, into an annuity, to be paid as long as the charter may exist.—The legal interest upon 200,000 dollars is 12,000 dollars. If the advance price upon the shares would be 200,000—it will only place the first adventurers upon the footing of purchasers in the second instance, to require that sum as a recompence for the privilege—but instead of doing this, it will be more satisfactory, and at the same time more prudent, to receive the legal interest, in the shape of annuity, terminating, whenever, from any cause, the charter shall become extinct. And as a further inducement, it is recommended, that the stockholders be permitted, whenever they think fit, to abandon the charter and divide the capital. This would counterpoise the fears of those who might apprehend, that so large a sum, by way of annuity, would encroach so much upon the profits, as to reduce the value of the stock below par.—This provision will insure the first cost at all times, and the adventurers will be entitled to take the chance of profit on the further rise.

It is not the design of the writer to contribute to the establishment of a new bank, for the purpose of affording immediate profits on the rise of stock. He thinks an equivalent advantage ought to ensue, by way of annuity, to the public. If the merchants, and others, at any of the towns, which have been mentioned, are desirous to increase their banking capital, by the instrumentality of a new bank, they may with great reason, make such calculations, as they would make, if the bank was already organized. They ought to argue with themselves upon the presumption of that fact. They should enquire, whether it would be prudent to give 30 or 40 per cent. for shares, in such a bank. If the decisions would be favorable to that view, then there could not exist any solid objections to the proposed annuity. Let the experiment be made, and leave the issue to time and experience.

It is asserted, and no doubt believed, by many, that the legislature will not listen to any proposal for the establishment of a new bank, even upon such favorable terms as these. These politicians give themselves no further trouble, because they believe that nothing will avail.—The subject is not considered by them. Even the investigations of others are lightly read and soon forgotten.—They shelter themselves behind the opinion of some popular man, and are content to sink or swim with their patron. These sort of critics are requested to declare, whether they believe that any member of the legislature, who wishes to retain his popularity, will not hazard much, if he shall oppose a proposition, so well calculated to afford public profit, without risking one dollar, either in capital or credit? Ten or twelve thousand dollars a year, clear money, as a douceur for a charter for one bank, will speak a language, which every body will understand—a language, which will mingle with the feelings of all those who know how much labor is necessary to earn a single dollar. How irresistable will be the charm, when like sums are paid at other places for equal privileges?

Such are the opinions of an individual, who has reflected much, has decided with calmness, and published with candor. He has no wish to persuade his fellow-citizens to accept of an erroneous proposition. If there be error in that which is recommended, the adventurers, after the experiment, will be able to withdraw their money by a dissolution. The writer has endeavored to form, such an union, between the wealth and power of the country, as will not only give benefits to each, but will likewise afford advantages, to every industrious man in the community. He will not be so arrogant, or so indecorous, as to insist that his theory is the best, or that his arguments are unanswerable. Let those who believe that he is mistaken, or, that they can offer something which will better satisfy public rights and private claims or hopes, *come forth, and they shall be heard.*

(To be continued.)

On Thursday last, the Federal Circuit Court, commenced its session in the capitol: Present, Judges Marshall and Griffin. The grand jury being impannelled, with Wilson C. Nicholas for their foreman, Mr. Marshall proceeded to deliver a most appropriate charge. He touched upon the general advantages of grand juries under free governments; he defined the particular limits of the jury, whom he was at that time addressing. Their jurisdiction was to be confined to every offence which came under the cognizance of the federal court. These offences had been designated by the constitution and the laws of congress. There were few in number, because the great mass of criminal jurisprudence had been placed under the superintendence of the states. But they were not unimportant in their nature, as they involved the peace, the security, and the convenience of the country at large. Mr. Marshall then proceeded to an enumeration of the offences, which were placed under the cognizance of the federal court; which they themselves were bound by their oaths to enquire into and present, taking care to make no presentments which were not founded on the knowledge of two at least of their own body, and where the information came from any other person, to annex the name of the informer.

The first offence was that of treason, which Mr. Marshal defined in the language of the constitution, to be a "levying war against the United States, or adhering to their enemies, giving them aid and comfort." He commented upon that admirable policy of our laws, which protects the individuals on the one hand from the unmerced persecution of the government, and on the other hand, protects the government from the treasonable designs of individuals. The first is accomplished by securing every accused individual from conviction, "unless on the testimony of two witnesses to the same overt act, or on confession in open court." The last is effected by extending the infectious influence of treason from those who are personally concerned, to every person who conceals his knowledge of the design." The last constitutes a new crime, under the name of misprision of treason, which he recommended in the second place to the investigation of the jury.

Murder was next placed on the catalogue of offences; but it was the duty of the federal jury not to enquire into every murder that is committed in any part of the country, but in such only as are perpetrated beyond the jurisdiction of each state; on the high seas, for example, in "forts, magazines, arsenals, dock yards," &c. This concealment of this crime also constitutes a new offence, which came within their cognizance, called a misprision of felony. Homicide also he recommended to their notice.

Mr. Marshall expatiated at some length on the tendency and definition of piracy; upon robbing the mail or post-office, in which case the offence of an officer of the department was more atrocious in its nature, and subjected to more rigorous punishment; upon counterfeiting the notes of the United States' bank; upon the offence of negociating with a foreign government or any of its officers, where the negociator acted from his own free will, and without the authority of his government.

The charge of Judge Marshall was, in fact, *luminous* and *comprehensive*. It embraced every object which a charge can officially comprehend, and it went no farther. There was nothing extraneous; nothing extra official in it. It laid down to the jury, the official duty which they were about to fulfil, without laboring to impress upon them a single inapposite idea, which might have better suited any other place. There was not the slightest indication in it of a man, who, "dreft in a little brief authority," was ambitious to usurp a little more than belonged to him. There were no little political dogmas in it; no extra official speculations. There was nothing in it of the ancient spirit of a Chase or a Wilson, of such judges, as convert a court of justice into a political Lyceum, and utter lectures on government, instead of expounding the volumes of criminal law. But Mr. Marshall's was the charge of a judge, who understood the limits to which his duty extended, and who embraced every legitimate object with the clearness of intuition.

Might not particular forms for these charges be made out, similar to the sett prayers in our churches, and distributed through all the federal circuit courts in the union? Might not these forms be composed by the supreme court of the United States, and successively altered and adapted to the variations in the laws of congress? (*Enquirer.*)

A very venial mistake.—A democrat, a great stickler for Mr. Jefferson, was reading the advertisements of a Boston paper lately, and among others the following:—"For sale, Jefferson's Inaugural Speech on Satin." Not burdened, as is usual, among democrats, with much learning, the man read it, "Jefferson's Inaugural Speech on *Satan*;" and thinking it might be a continuation of Paine's Age of Reason, or some work of similar tendency, he excited the risibles of a number of Boston booksellers, by his enquiry at their stores for the work, before he discovered his mistake. *Walpole pap.*

KINGSTON, (Jam.) April 24.

Saturday last His Honour the Lieutenant-Governor closed the Session with the following Speech:—

Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

The business for which you were called together having happily terminated, it is with great satisfaction that I grant you a recess.

Mr. Speaker, and Gentlemen of the Assembly,

I thank you sincerely for the supplies which you have granted for the payment of the expences necessarily incurred by the late martial law.

Gentlemen of the Council,
Mr Speaker, and Gentlemen of the Assembly,

I take great pleasure in the prospect of your now returning to your families and homes, with your minds entirely relieved from the uneasiness and anxiety naturally attending upon the late alarm.

I do, therefore, prorogue this General Assembly to the twenty first day of May next, and it is hereby prorogued accordingly.

FOR CHERBOURG,

The copper bottom'd SHIP

MARTHA,

Captain PETRIE,

Burthen about 650 Hhds. having two thirds her cargo now engaged—is expected to sail by the 15th July, and will take 100 *a* 150 Hhds. Tobacco on a moderate freight.—For terms apply to

JOHN NEWELL, Jun. Norfolk;
or,
BROWN, RIVES & Co.
Richmond, 1st June, 1805. 4w

United States of America, fifth Circuit in the Virginia District,

May term, 1805.

Thomas R. Rootes, administrator debonis non of Joseph Smith and John Smith, deceased, Plaintiff,

AGAINST

Samuel Gist, Martin Pearkes, and Mary his wife, late Mary Anderson, and Benjamin Toler, Defendants.

THE defendants Samuel Gist, and Martin Pearkes, and Mary his wife, not having entered their appearance, and given security according to a rule of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this district: On the motion of the plaintiff by his counsel, *It is ordered*, that the said defendants do appear here on the first day of the next court, and answer the plaintiff's bill; and that a copy of this order be forthwith inserted in some one of the newspapers published in the city of Richmond, for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste,
WILLIAM MARSHALL, Clk.

BROKER's OFFICE.

The Subscriber has opened a

Broker's Office,

OPPOSITE the Union Tavern and over the counting house of Messrs. Thomas & Amos Ladd. All business confided to him will be transacted with strict fidelity.

THOMAS NORVELL.

Richmond, March 11, 1805. tf

HE HAS FOR SALE,

A few Shares

IN THE

Manchester Turnpike;

ALSO,

State Certificates,

Bearing six per cent. interest.

For Sale,

YARMOUTH,

LYING in James City county, on Chickahominy River, ten miles from Williamsburg. The improvements are, a two story brick house, with two rooms and a passage above and below; porticoes on each side; a large and capacious barn, and three other out-houses. The whole tract, including an Island, in view of the house, high and low land with marshes, contains about 2700 acres; scarcely one third of which is cleared. Two thirds of the Island is arable, which, with the land adjoining the house, is of superior quality. Adjacent to the Island are two bold and navigable creeks, with a convenient landing to each. The range for cattle is very extensive, and the marshes and meadows will supply an abundance of hay. Fish and wild fowl, in their respective seasons, may with ease be obtained at your door. The orchards, consisting of the greatest variety of all kinds of fruit, selected with care, are now in their prime. The terms will be made known by William Berkeley, of Richmond, William Randolph, of Wilton, or the subscriber. PEYTON RANDOLPH, Jun.

For ELIZ. INNES.

November 6th, 1804 —(2wN.—1aw.D.&J.2am aftf.

NOTICE.

ALL persons indebted to the late firm of *Buchanan, Dunlop & Co.* of Petersburg, *Robert Pollok & Co.* of Richmond, and *Dunlop, Pollok & Co.* of Manchester, are hereby notified, that JAMES DUNLOP, late a partner in the above concerns, has become purchaser of all the outstanding debts: They will therefore be pleased to make payment to Mr. JOHN TOMPKINS, residing in Richmond, or the subscriber, residing in Petersburg—who alone are authorised to make collections, and grant discharges. Suits will be indiscriminately commenced against all who do not make payment before the 1st February next.

JOHN DUNLOP,

Attorney for JAMES DUNLOP.

Petersburg, Nov. 15, 1804.

J. TOMPKINS,

RESPECTFULLY informs those concerned, that he has removed the BOOKS and PAPERS of the late concern of ROBERT POLLOK & Co. and DUNLOP POLLOK & Co. to a new brick house near the Basin, and directly opposite to the Scale-House—

Where he has for Sale.

A few Pipes of old Cogniac Brandy,

of superior quality.

Richmond, December 12th, 1804

Notice

IS hereby given to the creditors of *Hooper & Toler*, against whom a commission of bankruptcy has been issued according to law, that the commissioners and assignees of their estate will meet at their office in the city of Richmond, on Saturday the first of June next, at 11 o'clock A. M in order to make a dividend of their estate and effects; when those creditors who have not proved their debts, must come prepared, or they will be excluded the benefit of said dividend.

Marcus Elcan,
William Temple, } Assignees.

Richmond, April 12th, 1805. tds

BUCKINGHAM COUNTY, March term, 1805.

William Brown & Co. Complainants,
Against
Smyth Tandy and Nathan Ayres, Defts. } In Chancery

UPON hearing the bill of the complainants, and it appearing to the satisfaction of the court, that the defendant Smyth Tandy is not an inhabitant of this state; It is ordered and decreed that unless the said Smyth Tandy shall appear here at May court next, and answer the bill of the complainants, that the same shall be taken for confessed, and the matter therein decreed accordingly; and that a copy of this order be published for two months successively in one of the public newspapers of the city of Richmond, and posted at the front door of the court-house of the said county.

A Copy—Teste,

ROLFE ELDRIDGE, D. C. B. C.

☞ I shall depart for the Western Country on the 10th of next month. Those gentlemen who wish me to settle their taxes in Kentucky, or on the North West of the Ohio, will be pleased to deposit the amount of sums due on their respective tracts, with my commission and charges, at the Office of Messrs. Pickett, Pollard and Johnston. Attention is requested to this notice, as the situation of the subscriber compels him positively to declare, that he cannot, in future, be in advance, even for his best friends.

GEO. CLARKE.

May 4th, 1805. 110j

SWEET SPRINGS,

Monroe County—Virginia.

ROBERT DOUTHAT,

INFORMS the Public, he will keep the Sweet Springs the two ensuing seasons, and will be supplied with every conveniency the situation of them will admit of, on his former terms. He has enlarged his Stables, and has improved his Houses and Cabins, so as to make them much more comfortable than they were heretofore. He will have an assortment of DRY GOODS, suitable for the season. *May* 20, 1805.

NOTICE.

WHEREAS a bond given by the subscriber, to Mr. Robert Waller, adm'r. of Wm Waller, for 65l. has been lost or mislaid, so that the same cannot be recovered: this is to notice public, that the amount of said bond, and interest thereon, has been paid, to Mr. George Nicholson, who afterwards became the adm'r. to the estate aforesaid. This advertisement will be plead in bar to any future claim on account of said bond.

GAWIN L. CORBIN.

York county, May 21st, 1805.

NOTICE.

THE COPARTNERSHIP OF

ROBERT GAMBLE & SONS,

WILL BE DISSOLVED

BY mutual consent, on Saturday the 11*th instant.*—All persons indebted to the said *firm*, are earnestly entreated to make immediate payment to *either* of the subscribers. A compliance with this request, will prevent the painful necessity of resorting to coercive measures.

The Books will be placed in the possession of Messrs. John & Robert Gamble, Jun'r, who are authorized to settle all accounts due *by or to the concern.*

ROBERT GAMBLE,
JOHN G. GAMBLE,
ROBERT GAMBLE, Jun'a.

Richmond, May 6th, 1805.

THE SUBSCRIBERS take this method of informing their friends and the public, that they intend carrying on the Mercantile business, under the firm of

John & Robert Gamble, Jun.

They are now receiving by the ship Rolla, a choice selection of LONDON GOODS, and daily expect from Liverpool a general assortment of Hardware, &c. suitable for the season, which will be sold by the piece, package, or dozen, on the most moderate terms, for cash, merchantable country produce, or on the usual credit to substantial and *punctual customers.*

They have on hand, Madeira and Sherry Wine, West-India Rum, Cogniac Brandy, Whiskey, Sugar, Pepper, Allum Copperas and Brimstone, (in pipes hhds. and casks,) Cotton and Wool Cards, patent Shot, Steel, Bar Iron, Hollow Iron Ware, German Scythes, Cutting Knives and Whetstones, Oznaburgs, Ticklenburgs, and Brown Hessians, Snuff, Cut Herrings, &c. They also possess large and convenient *Brick* Warehouses covered with *Slate*, for receiving and storing Flour, Tobacco, &c.—Those gentlemen who favor them with consignments, will find their charges reasonable; and may rely on their best exertions to afford satisfaction.

☞ The highe t rates given for good Bees-wax, Bear, Deer, and Otter Skins, and other shipping Furr.

JOHN G. GAMBLE,
ROBERT GAMBLE, JUN'R.

THE SUBSCRIBER (*Robert Gamble, Sen.*) avails himself of this opportunity, to thank his numerous friends for the large share of patronage he has received in the mercantile line, and hereby tenders to the public, his future services as a *COMMISSION MERCHANT*. He flatters himself his long experience (with other circumstances unnecessary here to mention) entitles him to the confidence of those who may have business of that nature to transact in this city; assuring such, of his best endeavors to merit approbation.

Those who yet remain indebted to the late firms of Gamble & Gratton, of Staunton; of Gamble & Temple, Robert Gamble & Co and Robert Gamble, of the city of Richmond, are oncemore earnestly requested to make *immediate* payment of their respective balances—such as continue regardless of this last notice, cannot expect longer indulgence.

(tf.) ROBERT GAMBLE.

DOCTOR WILSON

Has removed his *Apothecary Shop* to the lower floor of the Bell Tavern, where he has a general supply of

MEDICINES,

And other articles in the Apothecary line—among which are,

Peruvian Bark.	Manna.
Colombo.	Senna.
Augustura.	Glauber Salts.
Cascarilla.	Opium.
Simarouba.	Ipecacuanha.
Camomile Flowers.	Tartar Emetic.
Castor Oil.	Salt of Tartar.
Rhubarb.	Cream of Tartar.
Jalup.	&c. &c. &c.
Calomel.	

Also,

PAINTERS' COLOURS,

AMONG WHICH ARE

Red and white Lead.	Verdigrease.
Spanish Brown.	Prussian Blue.
Yellow Ochre.	Drop Lake.
Flake White.	Patent Yellow.
Spanish Whiting.	&c. &c. &c.

He takes the liberty to observe, that every article of Medicine in his shop is of that quality only which he uses in his practice as a physician: that before he professed the practice of physic, he had the honor to have the degree of Doctor of Medicine conferred on him in the University of Pennsylvania: hence he presumes that his pretensions to judge of the quality of Medicine are at least respectable.

Physicians, Merchants, and others, who may be pleased to patronize him, shall have their orders put up on the lowest terms.

☞ Persons of needy circumstances will be prescribed for, GRATIS, by paying the retail price of his Medicines

Richmond, May 14, 1805.

Tobacco Land for Sale.

IN Amherst county, on Horseley's creek, 509 acres of rich TOBACCO LAND, formerly the property of Mr. Daniel Warwick, and known by the name of Wincanton.—This land has the advantage of lying on the main road leading from Amherst courthouse to Waugh's ferry on James river, is a valuable stand for a country store, with a framed house for that purpose, entirely new and sufficiently large, having two rooms below and two above stairs, with a good brick chimney, and well underpinn'd with brick; also, a lumber house sixteen feet square, with a cellar of its full size wall'd up with stone—there is also a taylor's and saddler's shop, and other out houses; likewise a tolerable good dwelling house, with three rooms below and two above stairs; a kitchen, dairy and other out houses within a mile of the store, suitable for a private family. On this tract of land there is about seventy-five acres cleared, all of which is fresh and in good order for cultivation; it has also the advantage of being only seven miles from Bethel, where there is an inspection of tobacco, and within eighteen miles of Lynchburg.—As it is presumed no person will be inclined to purchase the above without reviewing the premises, they will be shewn by Messrs. Taliaferros & Loving who live within a few miles of Wincanton, and fully empowered to make sale, and the terms of payment may be known from them; as also on application to

GILLIAT & KIRBY.

Richmond, March 19th, 1805.

THE above tract of Land and Improvements, will be offered for Sale at Amherst Court House, on Monday the 15th of July next, (being Court day,) on a credit of six, twelve, and eighteen months. A Deed of Trust will be required on the premises, or satisfactory security for punctual payment.

Gilliat & Kirby.

(tawtds)

FIVE DOLLARS REWARD,

Or Twenty-Five if taken out of the state, and all necessary charges paid.

WENT off from my plantation, on James river, on Sunday the 14th this month, a Negro Man named JOHN. He is about 24 years of age; five feet seven and a half inches high; brown complexion; well made; stoops a little when walking; down look; a small scar on his neck; had on when he went away a short blue cloth coat, grey cloth pantaloons, new shoes, and a white linen shirt. He may probably make toward the north, as I took him out of Baltimore jail 15 months ago, having got that far on his journey. All masters of vessels or other persons, are cautioned against taking him out of the county or state.

He has a pass and may get the date altered.

J. GUNN.

April 18.

JOHN SPINDLER

RESPECTFULLY informs the Ladies and Gentlemen of Richmond, that he intends to teach DRAWING, PAINTING in Oil, Colour and Crayons—and would instruct 6 or 8 Pupils in these branches, either by waiting on them, or at his house opposite Thomas Wilson's, esq. back street.

N. B. Sign, House and Military Colours, painted by J. S.—☞ Orders from the country punctually attended to. January 1, 1805.

PRECIPITATE.

IMPORTED by Mr. [illegible]ightfoot, of Sandy [illegible]aft winter, full 5 [illegible]nd a half high, will stand at my stable in Chesterfield county, Appomattox River, 15 miles above Petersburg, to be let to mares at Ten Guineas a mare, two of which will be remitted, if paid within the season, which will commence the tenth of March, and expire the first of August next. Board of servants, *gratis*; mares may be fed at two shillings per day. I have large and extensive pasturage, divided in five different inclosures, that mares with foal may be kept distinct from barren mares One dollar to the groom. No liability for accidents of any description.

PRECIPITATE was bred by Lord Egremont, foaled in 1787, got by Mercury, (a son of Eclipse) dam by Herod, his grandam Maiden by Matchem, out of Mr. Pratt's old Squirt mare; her dam by Mogul—Camilla by Bay Bolton—Old Lady Dam of Sterling by Pulleine's chesnut Arabian—Rockwood Butler.

PERFORMANCE.

In the first spring meeting, 1790, at New Market, when three years old, he won the first class of the Princes Stakes of 100 guineas each, beating Thunderbolt, Chanticleer, and Sir Peter Pepper, four having paid forfeit. In the same week he won the the Bolton Stakes of 50 guineas each, beating Chamboee, Dragon and Pallafox; seven paid forfeit. And in the same week he received 100 guineas forfeit from Lord Grosvenor's Radamanthus.

In 1792 he won 50l. at Guildfield, beating Dodge, Thunderbolt, Sarmgapatam and Stout; the next day 50l. at the same place, beating Cardock and Griffin. He also won the King's 100 guineas at Lewes, beating Skyscraper, at three heats, the first being a dead heat. After which he was so highly esteemed that he become a stallion in his Lordship's stud at 12 guineas a mare. This horse is the sire of the following running horses in England: Johnquil, Petworth, Matrana, Rotaiba. Chesnut Colt out of Bobtail, Chesnut Colt out of Rosemary, Humbug, Lazarus, Ragnier, Apollo, Gulliver, Tag, Louisa, Tipstaff, Mr. Heathcote's Filly out of Reeves. Alchymist, Clodhopper, Grey Filly his R. H. Lampadosa, Mars, Mary, Matrance, Bay Filly Mr. Brown's, Grey Filly, Mr. Radcliff's, Tax, Tipstaff and Bobtail. THOMAS GOODE.

February 20th, 1805.

For Sale, or Lease,

THAT large and convenient TAVERN, situated in the centre of the town of Lynchburg, at the corner of the street leading to the court-house and jail, and not more than thirty yards from both, opposite Lynch's warehouse and the street leading from the ferry in the said town. The tavern contains four rooms and a bar on the first floor, including two very large rooms, suitable for a ball and dining room, with a sliding partition to the ball room. The second floor contains six rooms, one the size of the ball room, and the others suitable for lodging rooms, with an excellent garret. This tavern has a large portico the full length of the house, also a good dry cellar, and a well opposite the door, together with a kitchen, smokehouse, dairy, and a stable with twenty-two stalls therein, with a spacious garden and yard leading to the stable.—Other improvements will be made to suit the purchaser or leaser. It is deemed unnecessary to state the great value of the above property, or say more as to the advantage arising from so central and eligible a stand for a tavern, as it is presumed no person would be inclined to purchase or lease the same without viewing the premises, there being no doubt but they would be better satisfied after seeing the convenient situation, than any information they could get from this advertisement.

A liberal credit will be given to any person desirous of the purchase, or an advantageous lease.

For further particulars apply to William Rose, jr. Richmond, or the subscriber residing about three miles from Lynchburg.

SAMUEL SCOTT.

ELLIS & ALLAN,

Have received by the Rolla from London, part of their

SPRING GOODS,

amongst which are the following articles:

LONDON Superfine Cloths and Cassimeres,
Quiltings and Dimities,
Handsome fashionable worked and laced Muslins,
3-4, 8-4 and 10-4 Diapers,
8-4, 8-10 and 10-16 Damask Table Cloths,
Gentlemen's white and brown Cotton Stockings,
Ladies' elegant laced white do.
Do. Tortoise-shell bent and braid Combs,
Chintzes, Calicoes and Furniture,
Gentlemen's black fashionable Hats,
Do. drab beaver do.
Do. do. patent silk do.
Umbrellas,
Boys' Morocco Caps, plain and furr'd,
Best Hemp Rolls,
English White Lead, Spanish Brown, Yellow Ochre, ground in oil, and Verdigrease,
Prussian and Fig Blue,
Best Boiled Oil in jars,
Durham Mustard, &c. &c.

Which added to their present stock, and those expected (daily) from Liverpool, will render their assortment general.

May 7th, 1805. (tstf.)

Westham Iron Foundery,

NEAR RICHMOND.

THE subscriber takes the liberty of informing the Public, that he has taken a lease, and is at present working, the above Foundery; and having provided the best artists in that line, from New-York and George-Town, together with Pig Iron, of the first quality, proposes to cast, Mill Gudgeons and Inks, of every description; also, cast Iron Wheels for the Machinery of Mills; Rumford, registered and plain Grates; grate front and bottoms, for Rumfordizing fire places; large and small stoves; Franklin Stoves, for wood or coal; kitchen grates, with crane and range complete; coach warmers; plain stoves and maul'd plates; cast railing of every pattern, plowshares & plow boards; cast coach, phæton and chair boxes; scale weights from 1 to 60 lb; fast and clock weights: patent taw irons for smiths, on a very approved plan; backs, jams and back lays: nail cutting machines with screws complete, wheel barrow bowlers; garden ditto; cast iron anvils; fire dogs and hand irons of every description—together with any other article in the casting line, to a given pattern, at the shortest notice, by application at the furnace, or to

JAMES DUNLAP, in Richmond.

March 24th, 1804. w3m.

P. S. Old Iron purchased by application as above

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond, the 16th day of March, 1805,

BETWEEN

Charles Macmurdo, administrator of George Macmurdo, *Plaintiff,*

AND

John Thompson and Patrick Stewart, executors of John Ravenscroft, deceased, and Daniel Fisher, William Starke, junior, and Belfield Starke, executors of Bolling Starke, deceased, and John Starke Ravenscroft, *Defendants.*

THE defendants John Thompson and Patrick Stewart not having entered their appearance, and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by counsel, *It is ordered*, That the said defendants do appear here on the first day of the next September term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond, for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste,

PETER TINSLEY, C. C.

The three following Stallions

Will cover at the Bowling-Green the present season:

Dare-Devil,

Sire of Schedoni, Brutus, Desdemona, Magnet, Mr. Harrison's Colt, (now Mr. Goodrich's) and many other good racers, at SIX GUINEAS each mare, and One Dollar to the groom; to be discharged any time before the first of August next, by the payment of Five Guineas, or Twenty Dollars, if sent with the mare. Good pasturage, *gratis*—Servants boarded at 10s6 per week. Gentlemen wishing to have their mares fed, will please to send money with them to purchase grain, or it cannot be had. Notes for Six Guineas will be expected with the mares that do not remain with the horse; those left must be paid for before they are removed. Great attention will be paid them; but no responsibility for accidents or escapes.

VOLUNTEER, at *Ten Dollars* each mare, and Half a Dollar to the groom. He is a very fine bay horse, of good size, very stout and strong, with a great deal of bone, very fine action, and uncommon speed, and very likely to get good horses, either for the turf, carriage or saddle.

VOLUNTEER has been considered among the best running horses, and has won several races; among them a Jockey Club purse at Fredericksburg, and another at Richmond; and is as high bred a horse as any in the state. He was got by Bedford; his dam *Patorice*, a very fine English mare got by O'Kelly's famous stallion Volunteer, (one of the best sons of Eclipse,) her dam by Mr. Fenwick's celebrated stallion Matchem, &c. &c. &c.

FORTUNIO, (the Teazer) at *Five Dollars* each mare: He was got by Cormorant; his dam, a thorough bred mare, by Old Janus.—The season will end the first day of August next.

JOHN HOOMES.

Bowling-Green, March 15th, 1805.

VIRGINIA:

At a Superior Court of Chancery held at the Capitol in the city of Richmond, the 6th of March, 1805.

BETWEEN

John D. Orr, Plaintiff,

AND

Ferdinando Fairfax, Francis Keene, & Sarah Fairfax, Defendants,

THE *defendant Sarah Fairfax not having entered her appearance, and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, it is ordered, that the said defendant do appear here on the 1st day of the next September term, and answer the bill of the plaintiff; and that a copy of this order be forthwith published in some newspaper published in the city of Richmond, for two months successively, and posted at the front door of the Capitol in the said city.*

A Copy—Teste,

PETER TINSLEY, C. C.

SURVEYOR's OFFICE.

J. WOOD, mathematical surveyor for the city of Richmond, informs those persons, who may desire to have any Lots surveyed or divided, to apply at his house opposite to Mr. Copland's, Shockoe Hill, and when from home, to leave a Card either there, or at Mr. *John Moody's*, the corner of the square. All other surveyors are prohibited by an ordinance of the Common-Hall from surveying any squares or lots, or running lines within the city bounds, under the penalty of the legal fees of the city surveyor for every such offence. 3t

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Blank Bonds,

For Sale at this Office.